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THE
MATRIMONIAL
INSOLVENT ACT:

OR, THE
PARTICULARS of the ACT

Intended to be brought into Parliament, this Session,

By a celebrated COMMONER,

Under Promise of the zealous Concurrence of a very great
Majority of the MEMBERS of both Houses,

F O R
THE TRIENNIAL,

OR THE
DISSOLUTION EVERY THREE YEARS,

By those who choose it, with or without mutual Consent,

O F
Their Unprolific and Discordant
MATRIMONIAL ENGAGEMENTS.

Dedicated to the BISHOP OF LANDAFF.

“ Matrimony most assuredly is a copartnership business, that
“ requires a joint stock of *fidelity, affection, &c.* to carry
“ it successfully on; in which to be *deficient*, is to be in-
solvent
See Page 28.

L O N D O N:

Printed for J. MILLAN, opposite the *Admiralty, Whitehall,*

M.DCC.LXXX.

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T A B L E
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THE Title

<i>The Dedication</i>	—	—	i
<i>The General Introduction</i>	—	—	5
<i>The Prefatorial Observations</i>		—	7
<i>The Introduction to the Particulars of the Matrimonial Insolvent Act</i>	—		31
<i>The Particulars of the Matrimonial Insolvent Act</i>	—	—	33

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THE HISTORY OF THE

T. A. B. E.

O. P.

C. O. N. T. E. N. T. S.

THE

1	—	The Introduction
2	—	The General Introduction
3	—	The Particular Introduction
4	—	The Introduction to the Particulars
5	—	The Particulars of the Introduction
6	—	The Particulars of the Introduction
7	—	The Particulars of the Introduction
8	—	The Particulars of the Introduction
9	—	The Particulars of the Introduction
10	—	The Particulars of the Introduction
11	—	The Particulars of the Introduction
12	—	The Particulars of the Introduction
13	—	The Particulars of the Introduction
14	—	The Particulars of the Introduction
15	—	The Particulars of the Introduction
16	—	The Particulars of the Introduction
17	—	The Particulars of the Introduction
18	—	The Particulars of the Introduction
19	—	The Particulars of the Introduction
20	—	The Particulars of the Introduction
21	—	The Particulars of the Introduction
22	—	The Particulars of the Introduction
23	—	The Particulars of the Introduction

THE
DEDICATION.

TO THE
RIGHT REV^d. FATHER IN GOD,
SHUTE,
LORD BISHOP OF LANDAFF.

MY LORD,

HOWEVER men may differ as to the mode, the necessity of some additional legislative checks to the baneful, prevailing, and growing sin of Adultery, is indisputable; nor can your Lordship be too much applauded, for putting yourself foremost in the pious work, by bringing a Bill into Parliament for the purpose.

Your Lordship, it is true, has not hitherto succeeded in your praise-worthy endeavours, (the means you had devised and recommended in the said Bill being deemed ex-

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ceptionable) but you have *attracted* and *engaged* the attention of Legislation, and the sensible Public, to this important object; and thereby laid a sure foundation, not merely for a *preventive*, but, what is more, for a *radical cure*, of the evil complained of; so far, at least, as the frailty of our nature will admit.

For it may be taken for granted, when the *accumulated wisdom* of this enlightened Nation is *called forth*, and *exercised* upon any subject to which human intellects are applicable, that it will be found equal to the accomplishment of the purpose for which it is so demanded, let this purpose be ever so difficult.

Whatever success may therefore attend *future attempts*, to your Lordship the praises will be due, as the *source*, or *font*, from whence they originated; of course, you have more reason to rejoice, than to repine, at the miscarriage of the *first*, since (now that it is become a matter of public cognisance and disquisition) it will assuredly produce others, whereby your desires will be gratified in a much ampler manner than could be expected, while the consideration thereof was confined to yourself and friends only.

It must not, however, be inferred from this assurance, that your Lordship's *judgement* is meant to be questioned, and the said
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miscarriage imputed to a deficiency therein : nothing can be more foreign to the truth, or the design of the Writer ; nor more certain, than that, on the score of *wisdom* and *virtue*, your Lordship has few equals, scarcely any superiors.

But if it was an invariable rule for every affair of importance, that could admit of delay, to be *suggested* one session, and *determined* the next, the proceedings relative thereto would do more *honour* to our Legislators, and *justice* to their Constituents, than it is possible for decisions, *insufficiently considered*, and *precipitately obtained*, to do ; and almost every *amended Act* is a proof of such kind of decisions.

Intellectual knowledge, my Lord, is not confined to the circumscribed limits of the *senatorial walls* ; it is sometimes discovered, and more assiduously cultivated, in *humbler situations* ; and these suggested parliamentary intentions would call it forth from every quarter, and be regarded by the Public as *themes*, on which it was obligatory for the sensible and judicious to exercise their respective abilities, in the course of which some few would unquestionably start such hints, and throw such lights upon each different subject, as greatly to assist the Legislative Body in the subsequent investigation of them.

For, *respectable* as the abilities of many,

great as the capacities of some, of the Members in Parliament most certainly are; and *reverential* as the wisdom of the whole of them *united* must necessarily be; yet a recurrence to the wide field of intelligence, the Public at large, would make no small addition to the magnitude of it.

Much benefit might therefore result from the foregoing rule; not only as to the procurement of useful *external* intelligence, but principally from the delay; as the Members would thereby have the opportunity of a *repeated, uninterrupted, and minute examination* of the merits and demerits of such proposed parliamentary topics, previous to the final interference of the House, and before the advocates for, and opponents against them, were exposed to the passionate stimulatives incident to contested opinions, upon points *suddenly promulgated*, and but *indifferently digested*; which stimulatives are apt to mislead the judgement, and divert the attention from a proper exploration of the tendency and effects of the circumstance in debate.

The cause, your Lordship (with so much honour to yourself, and service to the community) is pleased so strenuously to patronize, will receive the foregoing advantages; and, in virtue of them, and your persevering endeavours, there is no doubt but the present session will crown your laudable wishes with the most happy success.

Towards

D E D I C A T I O N. 5

Towards the accomplishment of this success, the following pages are constructed, and submitted to your inspection ; in hopes, when improved by the superior understanding of your Lordship, and aided by the observations contained in the publications and discourses they will naturally give rise to, that the Act, or superstructure erected upon them, may be made to answer your Lordship's purpose so effectually, as to procure you *blessings on earth, and glory in heaven ;* for, as observed in the beginning of this respectful address, to your Lordship principally will the praises be due, for all the *moral and political, public and private, utility,* consequent to the subjoined and every similar attempt ; and inseparable from a thorough reformation in Matrimonial concerns, and the extirpation of the odious sin of Adultery ; the salutary ends your Lordship is so anxious to atchieve.

I remain,

With the most profound veneration,

MY LORD,

Your Lordship's most devoted,

And most obsequious Servant.

T H E
GENERAL INTRODUCTION.

THERE is no person, of ever so little observation and information, whether in high or low life, but what must be sensible of the present very *deranged* situation of Hymeneal Speculations; for that Matrimony is now reduced to a regular system of commerce, in which it is customary to speculate, is as certain as deplorable.

The fatality, and pernicious consequences also, either as public evils, or private misfortunes, of this regretted derangement, or degeneracy from the ancient dignity, purity, and happiness of Wedlock, are not less obvious and alarming.

To check then, so far as is possible, the farther progress of them, is a duty incumbent on Legislation, and consistent with the virtue and wisdom for which the present reign is so *supereminently* distinguished.

Sceptics there unquestionably are, and Enthusiasts, who will dispute the rectitude of a *reformation* in this delicate respect, and shudder at the idea of *innovations* therein; for the satisfaction of whom, as well as for the public

8 GENERAL INTRODUCTION.

lic entertainment, it is thought proper to preface the particulars of the Act in question with a few observations, explanatory of the necessity there is for, with the utility that may be expected from it; which observations, after cool and mature deliberation, there is no doubt but the discerning and candid Community will pronounce so convincing, as to preclude every *formidable* objection against it.



PREFATORIAL

PREFATORIAL OBSERVATIONS.

I.

IN pursuance of the before-mentioned prefatorial determination, it is first necessary to observe, that, although Matrimony is indubitably of divine institution, yet in Holy Writ, there is no absolute prohibition against either a *plurality* of Wives, or a *succession* of Husbands.

Upon the grounds therefore of Scripture, the measure in contemplation for the relief of *unprolific* and *discordant* Matrimonialists, cannot be combated with any *invincible* weapons.

One text, indeed, there is, which seems decisive against it; namely, that which declareth, that no man shall be justified in putting away his Wife, unless for the cause of Adultery.

But there is another text that invalidates the force of this exception, by signifying, that what in Scripture is meant by Adultery, is not merely the *commission* of the fact, but the *desire* or *inclination* to do so likewise.

And, in cases of unprolific and discordant matrimonial engagements, so natural it is to

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10 PREFATORIAL OBSERVATIONS.

wish for issue, and domestic tranquillity, that it would be quite contrary to the nature of things, and almost impossible for *most* of the parties not to have indulged desires *disloyal* to each other, or not to have conjugally sinned, either in *thought* or *deed*; and if so, their disunion is admissible, even upon the sacred grounds of Holy Writ.

II.

Considering Matrimony as a human institute, the alterative attempt in question is still less obnoxious to condemnation; because all human institutes either are, or ought to be, founded in temporary convenience only.

There is more of ostentatious folly, and ridiculous pride, than profound wisdom, in the *perpetuation* of public ordinances; or, like the Medes and Persians, in the enacting of *unalterable* decrees.

For sublunary affairs are so liable to changes, and in the rotund of time such an intire *local* metamorphosis is every where experienced, that neither the climate, any more than the customs, the manners, or the dispositions of the inhabitants, are the same as formerly, in any one part of the universe; consequently the same exact system of religious or civil institutes, will never be *equally eligible any where at all periods*.

Of

PREFATORIAL OBSERVATIONS. 11

Of course the supposed impiety of the new matrimonial regulations herein alluded to, consist only in the imagination; for, in fact, there can be no impiety in any thing that is justified by necessity, and not repugnant to the evident will of our benign Creator, who has endowed us with intellects for the express purpose of devising, from time to time, such expedients as may be most conducive to our present comfort and future happiness; and that both the one and the other depend principally upon our *domestic satisfaction*, is a truth that no sophistry can controvert.

Instead therefore of a pertinacious adherence to every minute form, ceremony, and matter, relative to matrimonial engagements, that were observed (and proper perhaps) a thousand years ago, and of being puritanically intimidated from occasional alterations therein, we should be continually studying how to improve and render this state as free from disappointments, and as redundant in conveniences and felicities, as possible.

For that Matrimony is a state capable of affording the most solid advantages, permanent comforts, rational enjoyments, refined pleasures, and extatic happiness, can only be denied by those who are strangers to the unspeakable delights of a mutual affection, and unsusceptible of the tender feelings in-

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12 PREFATORIAL OBSERVATIONS.

cident to the endearing tie subsisting between Husband and Wife, Parent and Child.

It is indeed a state ordained by Heaven for the peculiar purpose of smoothing the rugged paths of life, and perfecting the terrestrial bliss of human kind; and so effectually are those important ends answered by it (where the nuptial union is the result of a natural and judicious predilection for each other) that Adversity loses her sting, and Prosperity yields such transports, as the Gods must admire, and Angels envy.

III.

Such as have not tried the experiment, and those who have unfortunately miscarried therein, may suppose the foregoing description of the connubial state exaggerated; but many there still are who can bear testimony to the contrary, and many more might if their own fordid views, perverse dispositions, and injudicious conduct, did not prevent it, by precipitating them into *unsuitable* connections.

In hymeneal pursuits, were the placid enjoyments, the rational gratifications, preferred to such as are mercenary, vain, and sensual, very few would be disappointed of the happiness herein depicted, and under the necessity of *inhumanly* and *gracelessly* fighting for a separation that can only be effected by *death* or *infamy*.

Were people, in matrimonial cases, to allow

PREFATORIAL OBSERVATIONS. 13

a greater latitude for providential dispensations, and to substitute *patience* in the room of *precipitation*, it is more than probable, sooner or later, that the objects would be thrown in their way by Heaven, who are best calculated to make them happy on earth; and in this case, there would be hardly any such thing as *repentant* marriages, and very few *unprolific* ones; sterility not proceeding so often from natural or accidental defects, as discordant constitutions, in which the mind has her share of influence.

Sterility is, however, the source of much domestic uneasiness, and infidelity, with a degree of public injury that ought (as *Increase and multiply* is one of the first divine commands, and population the riches of the state) to entitle it, after a fixed period, to a legal remedy.

Tyrannic custom is another *antidote* to matrimonial success, by denying the Fair Sex the necessary privilege of revealing their affectionate partialities; at the same time that they are equally as subject to the intrusion of them, as it is possible for the men to be.

The consequence of which is, that many of both sexes, who are qualified by nature to make each other superlatively happy in wedlock, through the prevalence of this unreasonable custom, and the ignorance of the one of the secret attachment of the other, are so
unfor-

14 PREFATORIAL OBSERVATIONS.

unfortunate as never to come together at all, although, by a timely knowledge of each other's sentiments, they might easily have effected a prosperous union; there being something so attractive in a generous affection, that the information of its existence in the favour of the one, is most times sufficient, where there is no pre-engagement, to inspire it in the graterul bosom of the other.

IV.

From the preceding causes, added to the extreme folly and libertinism of the age, the holy estate of Matrimony has progressively fallen, from its deserved respectability, into the abyss of contempt and derision.

Instead of affording the numerous satisfactions intended by Heaven, it much oftener produces nought but miseries, and sometimes the most fatal mischiefs.

Instead of becoming, in most instances, a national and individual blessing, it more generally proves quite the reverse; and, without some speedy preventive endeavours, the public advantages, and private felicities of it, will be every day liable to a further declension.

So great, according to the present hymeneal system, are the dangers of Matrimony, that few engage in it but from *mercenary*, or *libidinous* motives; and unions erected upon such base materials, are seldom productive either of prolificacy, or content.

The

PREFATORIAL OBSERVATIONS. 15

The discouragements to Matrimony, and disappointments of those who *rashly* engage in it, are so obstructive to *population*, the first object of political consideration, that the consequences on this account also are peculiarly prejudicial; and the whole of the attendant evils so truly alarming, as to have determined certain of the best, wisest, and greatest, men in the nation, to promote and concur in the establishment of such measures as, in all human probability, will have a contrary effect in future, and restore this honourable state to its pristine reverence and utility.

And, of all the measures that could have been devised for the purpose, namely, *the encouragement of Matrimony, and the revival of the substantial benefits inseparable from the nuptial tie*, where correspondent dispositions and affections unite, the admitting of *Triennial Dissolutions*, under proper restrictions, it is humbly presumed, will be found the most efficacious; for reason revolts, and nature sickens, at the idea of an *indissoluble* engagement, founded on the *uncertainty* of an inviolable mutual attachment: it is the very bane of Matrimony; and, but for interested considerations, very few would run the risque of being miserable for life.

In common cases, if it can be afterwards discovered that unfair practices have been used to facilitate and accomplish an agreement,

16 PREFATORIAL OBSERVATIONS.

ment, a Court of Equity will set that agreement aside; but, in this most important of all respects, and which is infinitely more exposed to artifices and deceptions than any other, there is no relief on this side the grave but in infamy; and only then for such as can purchase it at an exorbitant price.

The unequalled pleasures and advantages of propitious hymeneal connexions, come within the knowledge and belief of every one; the conception, and desire of them, is interwoven in our very nature; and therefore, by opening an extricating door in case of disappointments in the pursuit, there is no one who would not venture upon a matrimonial trial.

But, at present, so dangerous is the attempt, so slender the chance of succeeding, and so very great the probability of a miscarriage, that it requires a Quixotic degree of courage to engage in it upon *pure disinterested* principles.

V.

An experience of *three years*, however, it may be presumed, will enable Matrimonialists to judge of the suitability of each other's inclinations, and of the prospect there is of such a mutual accordance as may insure their future satisfaction; without which prospect a *peaceable* separation, considered either morally or politically, would be far more

PREFATORIAL OBSERVATIONS. 17

more eligible than a *jarring, discontented, inefficacious* cohabitation.

For, when once the dreadful flame of discord breaks out in families, it is difficult, exceeding difficult, to extinguish it; and, without an immediate extinction, it is sure to increase; as the parties must either be subject to constant irritations by their unavoidable visibility, or undomesticate themselves, to prevent it; a remedy that in most instances proves worse than the disease, being thereby exposed to every indiscretion it would be prudent to avoid, and sure to fall victims, at last, to a multitude of errors they had no propensity to at first.

Matrimonial discord is, in short, the source of more human *wickedness*, as well as *wretchedness*, than any other circumstance whatsoever: it saps the foundation of every domestic virtue, and introduces every unsocial vice.

Intemperance, dissipation, indolence, blasphemy, desperation, with a long catalogue of subordinate evils, are the natural consequences; and more lives are lost, or curtailed, by matrimonial infelicity, than any of the common incidents to which we are liable.

It moreover operates so perniciously, as an example to the rising generation, where there are children, as to vitiate their principles also, and involve them, too frequently, in equal misery.

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18 PREFATORIAL OBSERVATIONS.

But, by the expedient in contemplation, these evils will be averted, and the cause of morality exceedingly improved; for from matrimonial unhappiness originates most of the immorality of the times; and matrimonial felicity is the only *infallible* prescription that can be administered for the cure of it.

Were people generally successful in their hymeneal enterprises, the golden age would be revived; nothing but *love* and *good fellowship* would exist in the bosoms of both sexes; and *fidelity* and *integrity* influence their actions—

As those who are pleased, and confidential at home, go abroad liberally disposed, and with desires to please, and be pleased, elsewhere; and *vice versâ*, when the contrary is the case; so that urbanity, and universal benevolence, have a great dependence upon domestic cordiality and affection.

Disappointed Matrimonialists, of every sort and denomination, would likewise thereby be sure of relief; and without sacrificing, as heretofore, their honour, or too much of their property, in the procurement.

The very numerous and reprehensible society of Old Maids, and Antiquated Batchelors, would be extirpated by it; and a yearly succession of additional thousands would spring up to proclaim the justice and wisdom of the laudable regulation that gave them birth.

Nor

PREFATORIAL OBSERVATIONS. 19

Nor need any *material* disadvantages be apprehended therefrom; as it may be taken for granted, that the ability to separate, will rather *obstruct*, than *promote*, *unnecessary* separations; and operate *antidotally* against such behaviour as would justify them, becoming by that means a *preventive*, as well as a *cure*.

False delicacy, indeed, may persuade the Fair Sex, that there is a great impropriety in cohabiting with a second, while the first Husband is living; but reflection will soon reconcile this frivolous objection.

For, if a Husband is destitute of fidelity, of affection, of tenderness, of respect, of attention to the comforts and interests of his Wife, he is to all intents and purposes dead to her as a husband; and it would be more humane, and consonant to the generous feelings of the sex, to desire to separate *legally*, than *mortally*, from such a Husband; and not to separate, would be rather criminal than meritorious.

It is certain, that many, to whose lot such Husbands fall, from an affection by no means deserved, flatter themselves perpetually with hopes of a reformation; nor should these kind expectations be discouraged: at the same time, in case of a disappointment, after many trials, and a long patience, such Wives would be more foolish than good, not to avail themselves of a *virtuous* separation—

20 PREFATORIAL OBSERVATIONS.

Especially, as *virtuous* separations could be effected with a degree of charity and good will, when such as proceed from *infidelity* are sure to be attended with an implacable aversion.

In the former case, *esteem*, and even *friendship*, may survive the disunion; whereas in the latter, *increasing hatred* is the inevitable result.

But the passions and acrimony of married people, after the operation of this Act, will never rise to such an *excess* of intemperance as heretofore; for these excesses are not occasioned so much by the provoking particulars of the disagreement, as the consideration of there being no eligible cure or relief in the case. It is the frequent occurrence of, and brooding over, this melancholy reflection, that aggravates the pain and generates future matrimonial disgusts and which, under such circumstances, soon become *intolerable*; when scarcely any grievance would be thought so, for which there was a speedy infallible remedy,

VI.

It must be admitted, that by authorising periodical dissolutions, the adjustment of very nice interested intricacies, relative to the property and issue of the separtees, will be necessary; but human wisdom is equal to any difficulty that may arise from this quarter.

PREFATORIAL OBSERVATIONS. 21

ter, and successfully exercised every day upon discussions infinitely more perplexing and abstruse.

This objection, therefore, can preponderate but little, when weighed in the balance against the public and private merits of the attempt; and yet it is the heaviest that can be urged, without recurring to *bigotry* and *superstition*, which, having been long exploded in most other cases, ought by no means to be continued in this.

It must be further observed, that, although such as require this indulgence, may have an opportunity, every three years, of receiving it, this does not imply, that they will be compelled to do it *involuntarily*, or the *first* time it offers; on the contrary, they may forego the benefit until the next, or until it would be inexcusable to delay it any longer.

The felicity also of such as are already satisfied with each other in this important respect, will be no how interrupted thereby: to augment this envied corps, and give every body a chance, sooner or later, of enjoying similar blessings, is the particular intent of it; nor will many be disappointed, who are born with dispositions to be happy; which is not, however, the fortunate case of every one.

Divorces, as now authorised, were most certainly intended as much for the *punishment*

22 PREFATORIAL OBSERVATIONS.

ment of the offenders, as the *relief* of the injured ; but, while the former are permitted to marry again, and to the parties offended with, they have the complexion of *rewards*, instead of *punishments* ; and, properly considered, amount to nothing more than a partial liberty to separate, to those who are so depraved, and circumstanced, as to qualify themselves for the indulgence by prostitution, and the payment of an unconscionable expence ; conditions that would disgrace a nation of *Hottentots*.

A fixed periodical opportunity for matrimonial dissolutions, on the contrary, would have a different effect ; be more characteristic of, and suitable to, the genius of a people so liberal, so refined, as we are ; and that odious sin of Adultery, encouraged by the former practice, would be, in a great measure, done away by this ; there being few of either sex so shameful as to expose themselves to the penalties, scandal, and danger, of matrimonial infidelity, while there is a probability of accomplishing their desires by reputable means, and a little patience.

VII.

When the individual pleasures, with the moral and political benefits of the Matrimonial Insolvent Act, are candidly considered, it cannot be expected to meet with the least opposition ; especially as it will not militate
against

PREFATORIAL OBSERVATIONS. 23

against the interests of either the Church, or the Bar; whose enmity, if it did, might prove an unsurmountable objection, from the virulence with which it is usual with most Priests and Lawyers to combat every attempt, however serviceable to others, that interferes with their own pecuniary concerns.

This, however, will not; on the contrary, the clerical dues, and legal fees, derivable from the matrimonial channel, will flow, in virtue of it, with a prodigious increase.

And as to the public funds, they will be materially assisted thereby, one of the clauses therein enacting, that Husbands shall have no power, in future, over more than the interest of their Wives' *pecuniary* portion until the expiration of three years after marriage, and only conditionally then; and in the mean time, that the principal, as well as the Husband's pecuniary property, be vested in the public funds; from the very great importance of which annual investments, the prices of the several stocks will be less liable to prejudicial fluctuations than formerly.

Most people will be struck with the idea, that the abovementioned disposition of the pecuniary property of Matrimonialists would prove unfavourable to trade: it is therefore necessary to explain, that, although those who
compose

24 PREFATORIAL OBSERVATIONS.

compose every order of the community are meant to be included in the general benefits of the Act in question, or so far as relates to the dissolution of their unprolific and discordant hymeneal engagements, yet the clauses in it, respecting the property of the parties, are constructed for the particular service of the opulent; such, for instance, as are independent of trade, over whom the said clauses will operate *compulsively*; but to people in business, or less affluent individuals, with a suitable degree of relaxation; in order that *ingenuity*, and *industry*, objects that ought ever to be attended to in a well-regulated country, may not be obstructed thereby.

And, that there may be no misunderstanding in this respect, an explanatory clause is subjoined to the act, declarative, that, not to prevent such as are already in trade from continuing therein, and not to hinder those from going into business who choose it, either with their own, or their Wives' fortune, the injunctions contained in the said clauses, shall only extend to the *surplus* property of traders, after the demands of their several businesses are provided for; whereby the less wealthy future Matrimonialists will be still at liberty, either to pursue the old method of uniting their effects, and trusting to the respective good conduct of each other, or to conform to the new regulation, and delay an implicit confidence until experience justifies the bestowal of it.

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PREFATORIAL OBSERVATIONS. 25

It has hitherto been the prevailing custom with people in trade, to enlarge their sphere of business on marrying; and for those in narrow circumstances, to think it incumbent on them to commence dealers on those occasions; but, if the situation of such people would admit of a forbearance, until it was ascertained how far they, and their hymeneal coadjutors, were disposed by nature and inclination to be proper helpmates to each other in business, their establishments would be much more permanent, considerably more successful.

To anticipate the disclosure of any of the component parts of the Act in contemplation in these remarks, which were meant to be confined to the vindication of the general principles or body of it only, is rather irregular, and foreign to the original design; but the contents of one of the clauses being necessarily introduced, to which the next has a kind of reference, it would hurt the connection, not to extend the digression to that also, which enacts, *viz.*

That the Husband shall have the immediate possession and disposal of the income and proceeds of all other the property of the Wife, of every sort and description, as well as of the interest of the investment in the funds; but no power whatsoever over the principal, or to sell, mortgage, or transfer the same, before the expiration of three

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years

26 PREFATORIAL OBSERVATIONS.

years from the day of marriage ; nor even then without the free will and consent of the Wife first had and obtained : nor shall he be permitted, until after this term, to part with, or dispose of any, but the income and proceeds of his own fortune ; which deprivation of authority over the substantial part of their respective property, for the said space of time, it is expected, will be particularly serviceable, and have a most happy effect on the care and conduct of both parties, by restraining their irregularities, if subject to any, until experience evinces the egregious folly of them, and how durable their union is likely to be.

To revert to general observation, it is rather extraordinary that some such regulation as the above has not already taken place ; for to put the most implicit confidence in people, at a period when good conduct is scarcely to be expected ; when it is not to be supposed they know much of the world, or enough of themselves ; to exact the greatest tribute of discretion and solidity from them, at the very age which palliates imprudences and levities, is similar to the expectation of blossoms in the Winter, ripe fruit in the Spring.

Instead of delivering them from evil, the giving novices in the grand concerns of life, at their first launching into independency, an immediate uncontrollable power over their
property,

PREFATORIAL OBSERVATIONS. 27

property, is leading them into temptation ; and at a juncture when the flesh must necessarily be weak, however willing the spirit may be : and from thence arises such a complication of early mistakes, and consequent misery, as is but seldom got the better of.

For the mutual benefit of Matrimonialists, the absolute dominion over their separate and joint property, should never precede a few years demonstration of the hymeneal and general conduct of each other ; because this delay would check the first impulses of juvenile follies, and enforce a propriety therein, until it became habitual ; or until an increasing family, and a maturity of judgement, insured a continuance, by manifesting how indispensable good conduct is, to render them *happy* at home, *respected* abroad.

There probably are some few men, so illiberal as to think it unfair to be incumbered with the whole family expence, without possessing the whole family property ; but such people must be insensible to the manly pride characteristic of the sex, which requires nothing in return for the succour, protection, &c. it bestows, but a faithful and pleasing discharge of the important duties of Wife and Mother : these performed with tenderness and alacrity, it is beneath the dignity of a generous mind to exact more ; and even, were Husbands totally prohibited from the enjoyment of pecuniary acquisitions by

E 2 wedlock,

28 PREFATORIAL OBSERVATIONS.

wedlock, the principal reserved for the Children, and the interest applied solely to the use of the Wife, it might have a very good effect: at least marriages would thereby be perfectly disinterested, on the part of the men, and ingenuity and industry encouraged; for, standing entirely on their own bottoms, greater exertions would in this case be necessary from them, than has hitherto been required; and affluence and comfort would also be so diffused, in consequence thereof, as, in process of time, to put an end to the present superfluous opulence (occasioned in a great measure by matrimonial accumulations) of some; and the distressing indigence (through the want of a more equal distribution of the family property) of others; both which extremes are as hurtful to the community, as a decent subsistence, comparatively speaking, to all, would be serviceable.

Exceptions may possibly be taken against the title or description of the Act herein alluded to; but, seriously considered, there can be no other more applicable.

Matrimony most assuredly is a copartnership business, that requires a joint stock of fidelity, affection, &c. to carry it successfully on; in which to be deficient, is to be insolvent, and a species of insolvency that has a much greater claim to legislative commiseration

PREFATORIAL OBSERVATIONS. 29

miseration and indulgence, than that which proceeds from pecuniary mishaps.

From the foregoing reasonings and observations on the subject in question, it cannot be doubted but that the sensible Public will see and acknowledge the multitudinous advantages of it, and concur in regretting that so great a blessing has been so long delayed: also, from the impossibility of making it, in point of property, an *ex-post-facto* law, that Matrimonialists, preceding the enacting of it, cannot be quite so much benefited as those whose nuptial engagements are subsequent; the regulations respecting the bridal portions being of less use to the former than the latter.

It is seldom, however, too late to do good; and that no one act of Legislation ever did more, or even a hundredth part so much as may ensue from this, only those who are *prejudiced, incompetent* judges, will deny; which finishes the Prefatorial Observations, and leads to the display of the promised Particulars.

T H E

**THE
INTRODUCTION
TO THE
PARTICULARS
OF THE
MATRIMONIAL
INSOLVENT ACT.**

AS the preamble of the Act contains only a repetition of the necessity there is for, with the benefits deriveable from it, as explained in the Prefatorial Observations, rendered tedious by the unpleasing phraseology of the law, it is thought proper totally to omit it.

And, that the curiosity of the Reader may be the sooner gratified, the whole of the clauses are divested also of their legal garb, and the intent and purpose of them exhibited in as clear and concise a manner as the nature of the case will admit of.

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Comments are also added to such clauses as require illustrating, to facilitate the conception of the particular aim and advantages of them; by which means, or from a serious and repeated perusal of *the Prefatorial Observations, the Clauses and Comments* annexed, there is no doubt but that the Reader will receive a satisfaction, at least equal to the trifling expence of the publication.

The leading clauses relate to the disposition of the property of future Matrimonialists; and it is accordingly meant to be enacted on that head, and on the general subject, *viz.*



THE
PARTICULARS
OF THE
MATRIMONIAL
INSOLVENT ACT.

Clause the 1st. **T**HAT all such as marry,
after the passing of this
Act, shall deliver a true and just schedule,
or account, of their respective property,
both in possession and reversion, to the Pastor
of the parish in which they propose to
marry; and previous to the performance of
the marriage ceremony.

Comment. To those whose intentions are
honest, whose dispositions are frank and
open, this requisition will not be cavilled at:
candor and integrity are necessary in every
transaction of life, but particularly so in this;
and, if not displayed in the earliest stage of
the connection, it is not likely that they
will be much practised afterwards.

F

Clause

34 P A R T I C U L A R S, &c.

Clause the 2d. That the schedules of each Couple shall be annexed, and immediately registered in the Parochial Register of the said parish.

Clause the 3d. That every Parochial Matrimonial Register shall be transmitted *monthly*, to the general Matrimonial Register-Office, to be established in *Doctors' Commons*, for the inspection, on paying a reasonable fee, of all such as it may afterwards concern; as in the case of wills, &c.

Comment. It is to be lamented, that a general Matrimonial Register-Office has never yet been established in the metropolis, and marriages disallowed until proofs were produced of its having been searched, on behalf of each of the Hymeneal candidates. It would prevent a multiplicity of destructive matrimonial impositions, as it may be taken for granted, that there are at all times in these kingdoms some hundreds of unprincipled people, married to a variety of Women, all living at the same time. It is interest alone that calls into action these atrocious deceptions; and the amount of the depredations thereby made upon private property, could it be precisely ascertained, would be found to exceed the most extravagant conjecture. But this is only one part of the enormity for the effect these deceptions have upon
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individual happiness, is so injurious, as to render them altogether the most atrocious crimes that depraved nature can be guilty of; *a twofold premeditated robbery*, namely, of peace, and of property: and yet, atrocious and common as the commission of them is, they have never hitherto attracted, in a sufficient degree, the attention of Legislation; for which reason none of the delinquents are *amply* punished, and very few so much as *stigmatised*. The catalogue of human infamy cannot furnish a transaction more replete with baseness and mischief; and yet it is perpetrated almost with impunity; and to rob a young Lady, by these means, of her honour, her tranquillity, and some thousands, is infinitely less dangerous, than forcibly to deprive a rich rogue, though urged ever so much by necessity, of a single guinea.

Clause the 4th. That the *whole* of the *pecuniary* property, both of the intended Husband and Wife, be vested, *separately*, in such of the public funds as they may appoint, in the name of the Superior of the Ecclesiastical Court for the time being, as the matrimonial trustee, for the full term of *three years*.

Clause the 5th. That the original receipt for each investment in the funds, be depo-

36 P A R T I C U L A R S, &c.

sited in the Ecclesiastical Court Matrimonial Office.

Clause the 6th. That official acknowledgements be given for the receipts for the monies vested in the funds; which acknowledgements must also be delivered at the same time, and with the aforesaid schedules, namely, when the solemnization of the nuptials is applied for.

Clause the 7th. That on obtaining the marriage certificate, and lodging the same in the Ecclesiastical Court Matrimonial Office, the Superior of the said Court shall grant an order to the Husband, to receive the interest of the investment made by him and his Wife, quarterly.

Clause the 8th. That pecuniary bequests, to either the Husband or the Wife, within the said term of three years, and for the time that may be wanting of it, be also vested as above; and the receipts for the same exchanged for orders for the recovery of the interest.

Comment. The most critical æra with young Matrimonialists, is the first three years; and could they, by any contrivance, be reduced to regularity and consideration during that time, there would be the greatest chance

chance of a continuance; as it may be naturally expected, that worldly experience, and parental attachment, will insure a life of discretion and good conduct ever after. To enforce a proper degree of prudence and œconomy throughout this dangerous period, is therefore the avowed purpose of the preceding and succeeding five clauses; and that they will amply accomplish the salutary ends meant to be answered by them, is but little to be doubted.

Clause the 9th. That the Husband shall become the immediate proprietor of the *interest* arising from the property of the Wife, vested in the funds; also of the *income* and *proceeds* of all other her property, of every sort and description; but his power shall not extend to the *principal*, or any farther than to the annual produce, as aforesaid.

Clause the 10th. That no mortgage, sale, or transfer, of the property of the Wife from the Husband solely, or even in conjunction with the Wife, (unless in the way of trade) executed within three years of their marriage, shall stand good in law.

Clause the 11th. That no mortgage, sale, or transfer, by either the Husband or Wife, separately, or in conjunction, of his or her
particular

38 PARTICULARS, &c.

particular property, (unless in the way of trade) made within three years of their marriage, shall be valid in law.

Clause the 12th. That no more than the yearly income and proceeds of the property of the Wife, shall be liable for such debts of the Husband, as were contracted *previously*, or within *three years* of their marriage,

Clause the 13th. That only the income and proceeds of the property of the Husband shall, in like manner as above, be subject to the debts of the Wife, until the expiration of the said term of three years,

Comment. As marriages, after this Act takes place, for the first three years, will be little more than probationary, it is right that the principal of the respective property of both Husband and Wife should, *till then*, continue unimpaired, and subject to no secret or open diminution, either by the one or the other, or even by them united. Especially, as Children may intervene, in case of a separation between the Parents, the ability to provide for them should remain in its original state of amplitude.

Clause the 14th. That especial Ecclesiastical Courts be appointed by those in whom
the

PARTICULARS, &c. 39

the right of appointment is legally vested, and held at convenient places, in every county in the kingdom, within three months after the passing the Act, to put in execution, for the first time, the salutary purposes of it, namely, the dissolution of *unprolific* and *discordant* matrimonial engagements.

Clause the 15th. That all those who can prove themselves to have been married three years, and upwards, previous to the time affixed for the commencement of this Act, and who can support, in the manner prescribed, any of the several pleas for the application hereafter particularised, shall be entitled to the benefit of it, if they think proper to avail themselves thereof, but not otherwise, no *compulsion* being in any case intended.

Comment. A compulsive Act, of this kind, would be as *unjust* as the present one is *reasonable*; for people may be satisfied with each other, though destitute of Children; as Heaven, doubtless for wise and good purposes, may deny, as well as Nature and accident disqualify, many Matrimonialists from having any; and even some of those who are subject to occasional misunderstandings, may conclude, that the chance of *bettering* their condition by new connections, is not so great as that of making it *worse*; and, therefore,

40 P A R T I C U L A R S, &c.

fore, that to continue as they are, is the most prudent resolve. This, at least, is certain, that the prevailing notion of there being no *medium* in the married state, but that it is fraught either with *perfect happiness*, or *extreme misery*, is founded in error; there being as many gradations of felicity and wretchedness in it, as different tempers and dispositions in the composition of the human frame.

Clause the 16th. That the especial Ecclesiastical Courts, for the relief of unprolific and discordant Matrimonialists, shall be renewed every three years.

Clause the 17th. That the especial Ecclesiastical Courts above mentioned, each time they open, shall sit two days in every week, for the space of a month, for the dispatch of business, making all together *eight* sitting-days triennially.

Comment. The Prefatorial Observations are evincive of the peculiar advantages, &c. of the 14th, 15th, and 16th Clauses; and the reason why, in the 17th, the Court is required to sit *eight days* each time it opens, when *one* only might be sufficient, is, that time may be allowed for the evaporation of *hasty* and *inconsiderate* effusions of *pique* and *passion*, which often prompt to actions that
are

PARTICULARS, &c. 41

are no sooner done than repented: not that this guard against precipitation is so necessary in the present instance, as at the first view may be imagined, because, even after the required dissolution, the parties will be still at liberty to marry again, if they are so disposed; but, where this is probable, they had much better re-examine each other's hearts and conduct, and determine not to separate at all.

Clause the 18th. That such as propose to take the benefit of this Act, shall give *three* several notices of their intentions, to the parties to be separated from; mentioning therein the cause, or causes, upon which the claim of separation is meant to be founded: the first notice to be served, personally, *thirty*, the second, *twenty*, and the last, at least *ten* days, previous to the application for the dissolution.

Clause the 19th. That a proof, on oath, of the proper service of these notices, by three *different* witnesses, be produced in Court, as the ground-work of the application.

Comment. In every legal process, the utmost fairness is enjoined, and ought always to be practised, but especially in transactions of this kind; otherwise what is meant as a
G blessing,

42 PARTICULARS, &c.

bleffing, may be easily converted into a curse. In particular, as every possible care is taken to prevent impositions at the *formation* of the union, it would be inexcuseable not to secure the *conclusion* from them also; which these regulations are calculated to do, and not without the most sanguine hopes of success.

Indisputable Pleas for Dissolutions.

Clause the 20th. That *mutual consent* shall be deemed an indisputable plea for dissolutions; and, in this case, that the parties shall not be compelled to assign any reasons for their required disunion; but in all other cases, the cause or causes must not only be exhibited, as mentioned before, but proved by the oaths of three credible witnesses.

Comment. When experience has evinced, and a course of years confirmed, to Matrimonialists, the impracticability of an harmonious agreement, and a resolution is taken to separate in consequence, it should be the wish and study of the parties to do this with *as good a grace, as much decency, and as little exposure, as possible*; and the foregoing clause points out the way, namely, by applying for a dissolution by *mutual consent*; which prevents the ignominious cause of their disunion from being publicly recorded, and open to

the view of any one, who may chuse to be at the small expence of perusing the same at the Matrimonial Register-Office.

That *Felonious convictions*, and *Unprolificacy*, shall also be admitted as indisputable pleas for dissolutions; together with

Infidelity, if not invalidated by recrimination.

That no *tidings*, for the space of *three years*, either of an absent Husband or Wife, shall be admitted as a sufficient plea for dissolution; but proofs must be produced, and oaths taken, that such applicants have used every possible endeavour to obtain intelligence of the person missing; and the same notices as are herein required for residents, must, in this case, be served on the nearest of kin to the absentee, who, if they please, may oppose the dissolution, on behalf of his or her unheard-of relation.

Comment. There is now so general a commercial intercourse between every habitable part of the globe, that the case must be *rare*, and *very singular*, indeed, that does not admit of information of existence once in three years; and therefore, when it becomes obligatory in the absentee to give it, which it

44 PARTICULARS, &c.

will be after the passing of this Act, the omission may with propriety be imputed to death, or such an inexcusable family disregard, as to justify a dissolution, and a subsequent marriage. The vulgar notion is, in these uncertain cases, that a Widowhood (if it may be so called) of seven years is enjoined: but seven years make too great a chasm in female life; and three are fully sufficient to answer the purpose of ascertaining the existence of any person absent, let his residence be ever so remote: at least, the inconvenience of a short suspense will be less painful, and prejudicial, than what would result from a useless prolongation of widowhood.

Admissible Disputable Pleas for Dissolutions:

Clause the 21st. That the following misdemeanors shall be admitted as disputable pleas for Matrimonial Dissolutions, viz.

Vital threats;

Wilful deceptions, as to the pretended property, at the formation of the connection;

Elopement;

Personal neglect;

Manual ill-treatment;

Malicious defamation;

Unparental behaviour to Children;

Habitual drunkenness;

Noto-

PARTICULARS, &c. 45

- Notorious profligacy ;
- Incorrigible impiety ;
- Unwarrantable prodigality.

Comment. The foregoing pleas are supposed to contain every cause of complaint that ought to be admitted in applications of this nature ; and, in addition to what has already been said in favour of the moral efficacy of the Matrimonial Insolvent Act, it must be farther observed, that, if it operated suppressive of *one* only of the numerous indecours above recited, a great reformation in the manners and conduct of mankind would be speedily experienced : but, if the *whole* of them were counteracted thereby, as is very probable, the moral system of the country would be perfectly changed ; and, instead of preying upon each other, as we now do, with hearts more unrelenting than hungry lions, we should revert to our primitive innocence, and lead, comparatively speaking, the lives of angels.

Clause the 22d. That where dissolutions are allowed, and there are Children, the *Sons* shall remain under the dominion of the *Father*, and the *Daughters* under that of the *Mother* ; unless sufficient cause be shewed to the Court, by either, to the contrary ; and, in this case, the disposal of the Children must be left to the discretion of the Court.

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46 PARTICULARS, &c.

Comment. In the present instance, that is, where there are Children, it must be remembered, that the Act will not be recurred to, but by *discordant* Matrimonialists: That discord between them can only result from *misconduct* either in the one or the other, or both: That the cause and the effect extend their baneful malignancy to the Children, on whom examples, whether good or bad, make an early impression; and, by a continuance, accumulate into habits difficult to eradicate: That, as matrimonial affairs are now regulated, the *whole* of the Children are exposed to the fatality of these examples, when, by this Clause in the Act in question, *none* will; as a separation may take place before the Children can be numerous, and before it is possible for them to be affected by the influence either of example or precept; or, at the worst, should it be delayed until the family is pretty large, and should the Court not divest the culpable Parent of the charge of that part of it that, according to the before-mentioned distribution, falls to the share of such Parent (which is not very probable) still some will be rescued from the impending danger, and enabled, by proper parental care, and the eligibility and lustre of theirs, to atone for any defects that may be found in the character and conduct of any less fortunate part of the family.

Clause

PARTICULARS, &c. 47

Clause the 23d. That the Father shall not be precluded from the knowledge of the residence of such of his Children as are under the particular charge of the Mother, nor the Mother kept in ignorance of the habitation of such of her Children as are under the Father's care ; nor shall either be excluded from the occasional sight of them, at proper hours.

Comment. When the critical moment arrives, it will be a task of no little difficulty, where there has ever been a tenderness between the parties, to *finalise* the required dissolution ; and many, who thought themselves paragons of firmness, will upon these occasions experience the contrary, and that, to *resolve*, and to *execute*, are not equally easy.—Between such people, the sensations will be somewhat similar to what results from the apprehension of a mortal separation, which brings to recollection, and magnifies, the good qualities and virtues of the persons verging into eternity, at the same time that it totally obliterates the uncharitable remembrance of their foibles and vices.—Numbers will find themselves too weak for the completion of the work they have undertaken, and return from the attempt with revived affection, and a fresh cargo of patience and reformatory hopes—but, was it easier than it will be found for people to extinguish their
hymeneal

48 PARTICULARS, &c.

bymeneal ties, their *parental ones* they neither can, nor ought to divest themselves of; and therefore, not to secure to them, by some such clause as the foregoing, the enjoyment of their *filial* comforts, even after a separation, would be a cruel and an inexcusable neglect.

Clause the 24th. That the hereditary property of the Father shall descend to the eldest Son (if Sons there be); and that of the Mother to the eldest Daughter (where there are Daughters): otherwise, to the eldest Daughter (where there are no Sons), or to the eldest Son (where there are no Daughters), as is now customary.

Comment. Those who are advocates for *family aggrandisement*, may object to this clause, from the presumption that it will operate decreasively thereto: but, properly considered, the very contrary will be the case; and such families as it comprehends will have *two* chances for an affluent perpetuation, instead of *one* only; and, if *perpetuation* is not included in *aggrandisement*, it is like preferring the momentary glare of a fiery meteor to the continued effulgency of a fixed star. This clause will therefore have the sanction of reason, though not perhaps the entire approbation of pride.

Clause

PARTICULARS, &c. 49

Clause the 25th. Where there are no Children, that each shall remain with their respective hereditary property; and the whole of such as is not hereditary, shall be *equally* divided between them.

Clause the 26th. That, where there are Children, the property of the Separatees (not hereditary) shall be divided into thirds, and distributed, *viz.*

One third to the Husband,
One third to the Wife, and
One third to the Children, share and share alike,

Clause the 27th. That those Children to whom the hereditary property falls, either of the Father or the Mother, shall not share with the other Children in such property as is not hereditary, unless the hereditary property shall be of less value than the share of the other Children; and, in this case, the deficiency must be made good to them out of the property that is not hereditary, and so as to put all the Children upon an equal footing.

Clause the 28th. That the Fathers and Mothers shall have the receipt and management of that part of the fortune of the Child, or Children, they respectively remain in charge of.

H

Clause

50 P A R T I C U L A R S, &c.

Clause the 29th. That, as matrimonial misconduct ought in all cases to be discouraged, when the dissolution is occasioned thereby, the quota allotted by these regulations to the culpable party, shall be subject to the payment of a fine to the Court, more or less important, as such misconduct is reprehensible.

Clause the 30th. That the culpable party shall also pay the costs of the application for the dissolution; the *quantum* of which shall be determined by the Court.

Clause the 31st. That after the dissolution, the Separatees shall have no more claim to the property of each other, than if they had never been connected: nor shall they be any more exempt, than perfect strangers, from actions for *crim. con.* if they renew their former intimacy, after having been married to other people.

Clause the 32d. That the Children, notwithstanding the disunion, may claim the *undivided* property of their natural Parents; which (if not hereditary) shall be equally divided between them, whether by one or more Husbands or Wives.

Clause the 33d. That if, after separation, and the division of the Children, either Parent should die without leaving a provision for
the

the Child or Children such Parent was in charge of, the care of such Child or Children must then revert to the surviving Parent; as they also must, should such Parent, instead of dying, fall into decay.

Clause the 34th. That, after separating, should either Parent die before the Child or Children he or she is in charge of, comes of age, and leave a provision for such Child or Children, the surviving Parent (if the Court at the time of the dissolution does not determine the contrary) shall be the sole, or at least one of the Guardians of their said Child or Children.

Comment. There is so little ambiguity in the preceding ten clauses, or, in other words, the *intent* and *meaning*, as well as the *rationality*, of each and every of them are so self-evident, as to excuse the necessity of commentary illustrations.

Clause the 35th. That the dissolution certificate be charged *twice* the expence of a marriage licence; and that the amount resulting therefrom, together with the amount of the fines for matrimonial misconduct, shall be *triennially* disposed of in premiums to such Women as are Mothers of *seven* or more living Children, at the rate of twenty shillings for each Child; those who most want these premiums, according to the best information

52 PARTICULARS, &c.

that can be obtained, to have the preference of them.

Clause the 36th. That subsequent premium-claims, from the same Women, will be admitted, for additional Children, to any extent, whether by one or more Husbands.

Comment. It was the usage of former times, and of the greatest people then on earth, to allow extraordinary privileges to the *Fathers* of many Children; but, as there is more parental certainty in the other sex, it is humbly presumed that the transfer of privileges into pecuniary premiums for the benefit of the *Women* instead of the *Men*, will be rather an improvement upon the ancient custom; which, being founded in wisdom and good policy, merits the particular encouragement of this almost depopulated country.

Clause the 37th. That the dissolutions shall be regularly registered, with a declaration of the cause or causes upon which the application for the same was grounded, in the several counties and places where the especial Courts are held, and at the General Ecclesiastical Court Matrimonial Office, to which they must be transmitted from the other places, as soon as the Courts break up.

Clause

PARTICULARS, &c. 58

Clause the 38th. That applicants to marry, besides the schedules of their effects, and the official acknowledgements of the receipts for the investments in the funds, shall also deliver affidavits of having had the General Matrimonial Office searched, both for marriages and dissolutions, for the purpose of ascertaining the reality of their pretensions to marry, and evincing that they are mutually satisfied in this respect.

Comment. The particular drift and utility of the 37th and 38th clauses are exemplified in the comment upon the third clause, to which the reader is again referred: but there is another purpose, they are also meant to answer, which has not hitherto been explained, namely, that of precluding the use of public advertisements; which, without these registers to recur to, would be indispensibly necessary in applications for matrimonial dissolutions: from the indelicacy annexed to which advertisements, were they permitted, it is very probable that the design would in a great measure miscarry, as many of the Fair Sex might not be able to overcome the prejudice inseparable from so general an avowal of their situation and intentions: at all events, this is certain, that, as those who are unhappily obliged to have recourse to the Matrimonial Insolvent Act, must have had their *private* feelings sufficiently mortified, if their
public

54 P A R T I C U L A R S, &c.

public ones can with consistency be spared, it will be no small addition to the eligibility of it. The five following clauses need no comment.

Clause the 39th. That, previous to the performance of the marriage ceremony, the Bride and Bridegroom shall make oath, and the Clergy in general be empowered to administer the same, as to the *truth* of the contents of the respective schedules, official acknowledgements, and affidavits, required at this juncture of them.

Clause the 40th. That Clergymen, performing the marriage ceremony without the previous delivery of the before-described documents, and the administration of the oath evincive of the truth of them, shall be deprived of their sacerdotal employments.

Clause the 41st. That both the Husband and the Wife shall have an *independent* testamentary power over their respective property; and the same shall be disposed of, when either of them depart this life, in the manner directed by the will of the Deceased.

Clause the 42d. That, should there be no will, the property of the Deceased, if not hereditary, shall fall to the Survivor, in default of Issue; but, should there be left a Child
or

PARTICULARS, &c. 55

or Children, the one half only shall appertain to the surviving Husband or Wife, and the other to the Child or Children.

Clause the 43d. That, on producing an authentic copy of the will of the deceased, with the funeral certificate, &c. the Superior of the Ecclesiastical Court shall immediately relinquish his power over the money invested in the funds to the apparent proprietor of the same.

Clause the 44th. That (unless occasioned by the death of one of the parties) the trust must never be relinquished, until the expiration of three years after marriage, nor even then without the joint application of both Husband and Wife, to whom it must be resigned *severally*, when it will be at the option of each, to dispose of their respective part as they think proper.

Comment. It may reasonably be supposed, by a marriage of three years, that Matrimonialists in general will have attained to a tolerable degree of discretion, and a competent knowledge, how far it will be prudent to admit of one or separate interests;—a determination that ought to be influenced by their respective experience only; for, though whim and caprice, in some instances, may render this regulation a little inconvenient,
yet

36 PARTICULARS, &c.

yet the legal dominion over the property of both, by either, would be infinitely more so.

Conclusion.

The foregoing are the particulars of the intended Matrimonial Insolvent Act, as it now stands ; on which, when the great wisdom of Legislation is exercised, there is no doubt but every exceptionable part will be excluded, and every deficiency supplied : in the mean time, the proceedings in it thus far are respectfully laid before the Public, for the purpose of acquiring additional hints and instructions from the sensible and judicious, for the improvement and final perfection of it, against the wished-for season of introduction and completion arrives.

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